REMARKS

Claims 1, 3-8, 10-15, and 17-21 are pending in the present application. Claims 2, 9, and 16 were canceled; and claims 1, 3-8, 10-15, and 17-21 were amended. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification. The specification was objected to and a suggested correction was provided by the Office Action for amendment. The specification has been amended to correct an informality in the description of step 706. Particularly, the statement "If the user has not opted to have the text presented without the video, then the video and text is presented to the user." has been amended to read "If the user has not opted to have the text presented with filtering text from the video, then the video and text is presented to the user." Note the amendment differs by that suggested in the Office Action as required to correctly describe the logic flow from step 708 to 706. No new matter has been added by any of the amendments to the specification.

Applicants thank the examiner for the interview on Friday, September 24, 2004. During the interview, the following points were discussed:

I.   35 U.S.C. § 112, Second Paragraph

The Office Action has rejected claims 3, 5, 10, 12, 17 and 19 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claims 1, 3-8, 10-15, and 17-21 have been amended to better distinctly claim the subject matter which applicants regard as the invention and to correct informalities in the claim language. Thus, withdrawal of the rejection of claims 3, 5, 10, 12, 17 and 19 under 35 U.S.C. § 112, second paragraph, is requested.

II.   35 U.S.C. § 102, Anticipation

The Office Action has rejected claims 1, 8, and 15 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,915,256 to Rogers et al. (hereinafter Rogers). This rejection is respectfully traversed.

With respect to this rejection, a prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. In re Lowry, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218, U.S.P.Q. 781 (Fed. Cir. 1983). In this particular case, each and every feature of the presently claimed invention is not identically shown or described in *Rogers*, arranged as they are in the claims.

For example, amended claim 1 recites the following:

> 1. A method for presenting text from multimedia data to a user; the method comprising:
> receiving multimedia data containing an associated plurality of sets of text data, wherein the plurality of sets of text data includes a first text data set associated with a first plurality of video frames of the multimedia data, and a second text data set associated with a second plurality of video frames of the multimedia data;
> extracting the associated plurality of sets of text data from the multimedia data;
> outputting the first text data set with a one video frame of the first plurality of video frames; and
> responsive to determining that text in the multimedia data has changed from the first text data set to the second text data set, outputting the second text data set and a one video frame of the second plurality of video frames.

With regard to claim 1, the Office Action states the following:

> As per claim 1, Rogers discloses a method where multimedia data is received containing associated text data. (See Rogers, Figure 2, and Column 4, lines 23-27). The associated text data is extracted from the multimedia data (See Rogers, Column 4, lines 56-63) and is outputted without the moving images from the multimedia data. (See Rogers, Figure 9, and Column 5, lines 56-59).

Office Action dated June 14, 2004, page 3.

Applicants respectfully disagree. For example, Rogers recites the following:

> If program control transfers to step 210, the selected story 612 commences in narrative mode. A pointer to the stream of audio/image information comprising

the narrative data as well as a pointer to the stream of text information comprising the exploration data are set to the beginning of the respective streams. Both pointers are initialized so that the user may freely toggle between the two modes during story telling.

Rogers, Column 4, Lines 56-53

Also, if a pagebreak occurs in the audio script, the pointer to the text stream advances to the next page.

Rogers, Column 5, Lines 14-16.

Step 222 provides the entry point for exploration mode. This step writes to the output device 106 the current page of text pointed to by the text pointer.

Rogers, Column 5, Lines 56-58

Thus, Rogers describes output of text based on an occurrence of a pagebreak in an audio script. No description or suggestion is provided for outputting one frame of a plurality of frames that are associated with a second text data set in response to a determination that the text in the multimedia data has changed "from the first text data set to the second text data set." That is, Rogers provides for no mechanism to evaluate a difference of text of frames of multimedia data for determining when to output a frame of a plurality of frames. Rather, a pointer of a video stream is advanced for progressing a video presentation and text is progressed by evaluation of a page break or other designation in an audio stream.

As described in the present application, still images of video frames may be presented to a user with associated text data sets. One video frame of a plurality of video frames associated with a text data set is output with the associated text data set. As the frames advance, the text of the advancing frames are compared with the text data set that is being output. When a determination is made that a difference exits in the output text data set with the text data set of a current video frame, the changed text data set is output with one video frame of a plurality of video frames associated with the changed text data set. For example, the subject application states the following:

Furthermore, in other embodiments, the video frames **402-408** represent only the frames of video in which text has changed with each of video frames **402-408** separated by one or more intervening video frames in which the images may have changed, but the associated text does not.

Subject Application, Page 12, Lines 2-7. See also Page 17, Lines 9-14.

Amended independent claims 8 and 15 recite similar features as claim 1. Therefore, the same distinctions between Rogers and the claimed invention in claim 1 apply for these claims. For the reasons described above, Rogers does not contain all elements of independent claims 1, 8, and 15. Hence, Rogers fails to anticipate the present invention as recited in claims 1, 8 and 15. Consequently, it is respectfully urged that the rejection of claims 1, 8, and 15 have been overcome, and such a notice is respectfully requested.

III.   35 U.S.C. § 103, Obviousness

The Office Action has rejected claims 3-7, 10-14, and 17-21 under 35 U.S.C. § 103 as being unpatentable over Rogers as applied to claims 1, 8, and 15 in view of U.S. Patent Application No. 2004/0078188 A1 to Gibbon (hereinafter Gibbon). This rejection is respectfully traversed.

With regard to Gibbon, the Office Action states the following:

> Gibbon discloses a system where the text data is comprised of a number of sets of data (See Gibbon, Page 7, paragraph 0109). The sets of text data are presented to the user along with a single video frame corresponding to one of the sets of text data. (See Gibbon, figure 14).

Office Action dated 6/14/2004, page 4.

Applicants respectfully disagree. For example, Figure 14 of Gibbon shows the following:

FIG. 14
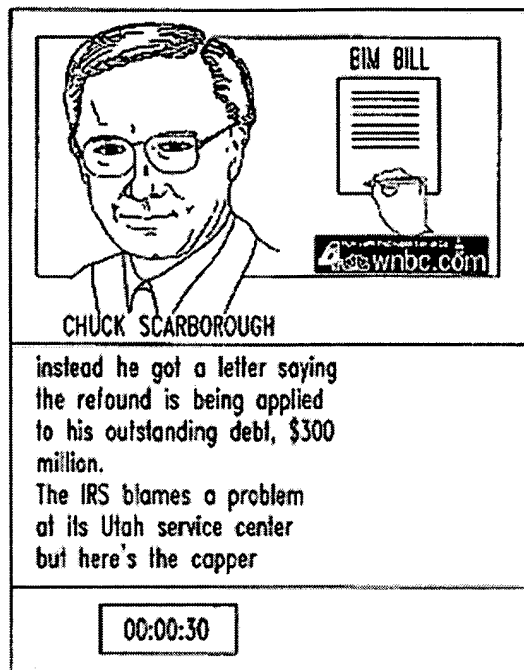
As can be seen, a window includes both video and text. Moreover, Gibbon states the following regarding Figure 14:

> FIG. 14 is a window that plays back streaming content to a user. It is triggered when users click on a particular item. In this playback window, the upper portion shows the *video* and the lower portion the text synchronized with the video. During playback, audio is synchronized with video. Either key frames or the original video stream is played back. The text scrolls up with time. In the black box at the bottom, the timing with respect to the starting point of the program is given. (*emphasis added*).

Gibbon, Page 8, Paragraph 0119.

As explicitly recited by Gibbon, Figure 14 illustrates playback of "streaming content" comprising "video" and "text synchronized with the video." Gibbon in no manner describes or suggests presentation of "a single video frame corresponding to one of the sets of text data" as asserted in the Office Action. Thus, Gibbon fails to at least describe a mechanism for outputting "one frame of a plurality of frames" that are associated with a second text data set in response to a determination that the text in the multimedia data has changed "from the first text data set to the second text data set" as described in the subject application and claimed in each of amended independent claims

1, 8 and 15. Accordingly, Gibbon provides for none of the deficiencies of Rogers and is insufficient alone, or in combination with Rogers, to obviate claims 1, 8 and 15.

Inasmuch as base claims 1, 8, and 15 include elements not shown or described in claims 3-7, 10-14, and 17-21, the same distinctions between Gibbon and the claimed invention in claims 1, 8, and 15 apply for these claims. Moreover, if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Thus, claims 3-7, 10-14, and 17-21 are non-obvious as Applicants have already demonstrated claims 1, 8, and 15 to be in condition for allowance. Applicants respectfully submit that claims 3-7, 10-14, and 17-21 are also allowable, at least by virtue of their dependence on an allowable base claim.

Therefore, the rejection of claims 3-7, 10-14, and 17-21 under 35 U.S.C. § 103 has been overcome, and such a notice is respectfully requested.

IV.   Conclusion

It is respectfully urged that the subject application is patentable over Rogers and Gibbon and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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